## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. : 9673 Application No. : 10/588,737 First Named Inventor: Hiromu KAKUYA Filed : February 09, 2004 TC/A.U. : 3748 : Diem T. Tran Examiner Docket No. : 011050.58088US Title : Engine Controller INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 AND 1.98 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir: In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form SB08 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application. Time Period of Submission I. This Information Disclosure Statement is submitted: no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R.§ 1.17(p) is required. after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a

concurrently herewith:

a Statement under 37 C.F.R. § 1.97(e); or

Final Office Action, a Notice of Allowance, or an action closing prosecution (Exparte Quayle), (whichever is earlier), and therefore Applicant is filing

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

a Statement under 37 C.F.R.  $\S$  1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

## II. Statement Under 37 C.F.R. § 1.97(e) I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or Statement under 37 C.F.R. § 1.704(d) III. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. Submission of Non-English Language Documents IV. The following is a concise explanation of relevance of the non-English language documents listed in the attached Form SB08: The relevance of document(s) \_\_\_\_\_ to the subject matter of the present invention is/are provided in the specification of the above-identified application. Corresponding foreign or international report(s) citing \_\_, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted. of publication(s) language family member English document(s) \_\_\_\_\_ is/are noted on Form SB08. English language abstract(s) is/are submitted for document(s) $\boxtimes$ **B3**.

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		Applicant	submits	the	following	explanations:
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As provi	ided in 37 ey were p	filed C.F.R. §1.98(	, from y d), copies of t nitted to or c	which the docu ited by	his application uments are not the United St	plication Serial claims benefit. t being provided ates Patent and
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